



FloorPrep

Legislative Digest

Wednesday, November 3, 1999

J.C. Watts, Jr.
Chairman
4th District, Oklahoma

House Meets at 10:00 a.m. for Legislative Business

Anticipated Floor Action:

Motion to Instruct Conferees on H.R. 2990 (Quality Care for the Uninsured Act)

H.R. ____—FY 2000 District of Columbia Appropriations Act

H.R. 2389—County Schools Funding Revitalization Act



Motion to Instruct Conferees on H.R. 2990 (Quality Care for the Uninsured Act)

Floor Situation: The House may consider a motion to instruct conferees on H.R. 2990 as its first order of business today. Yesterday, the House agreed to a motion to appoint conferees on the measure, but postponed consideration of any motion to instruct. Such a motion is debatable for one hour. At press time, details of a possible motion to instruct were unavailable.



H.R. ____—FY 2000 District of Columbia Appropriations Act

Floor Situation: The House will consider the H.R. ____ after it finishes considering a motion to instruct conferees on H.R. 2990. Appropriations bills are privileged and may be considered any time three days after they are filed. Yesterday, the Rules Committee granted a closed rule providing one hour of general debate, equally divided between the chairman and ranking minority member of the Appropriations Committee. The rule provides one motion to recommit, with or without instructions.

Summary: H.R. ____ appropriates \$429 million to fund the operation of the Nation's Capital, the District of Columbia (D.C.) correctional activities, and D.C. courts. This amount is \$35 million more than the president's request and \$255 million less than the FY 1999 level (included in the FY 1999 appropriations

bill was \$64 million in emergency funding for Y2K conversion). Of this amount, the bill provides (1) \$176 million for Corrections Trustee operations (\$7 million less than the House-passed of H.R. 2587); (2) \$99.7 million for operating city courts (\$1 million less than H.R. 2587); and (3) \$17 million for the D.C. Resident Tuition Support program (equal to level in H.R. 2587). Finally, the measure approves the \$6.8 billion District budget, which is \$7.4 million less than H.R. 2587 and \$11.7 million less than the FY 1999 level. The District budget funds all aspects of the city's operation including public education and safety, human support services, and enterprise funds. Funding for the District includes \$1.4 billion for a six-year capital outlay program.

The measure also:

- * caps city council members' salaries at \$84,635;
- * prohibits the use of District or federal funds for a needle exchange program or for payments to individuals or entities that carry out a needle exchange program;
- * caps the hourly rate of compensation at \$50 for attorneys who represent a party in litigation brought against the District of Columbia Public Schools under the Individuals with Disabilities Education Act, unless attorneys enter into a memo of understanding with the mayor, Control Board, and Superintendent of the D.C. public schools;
- * allows the D.C. Corporation Council to review and comment on legal briefs related to lawsuits for District voting representation;
- * permits cell towers to be erected in Rock Creek Park;
- * allows charter schools access to funds for building and repairing elementary and secondary schools, and allows preference for siblings of charter schools in the admissions process;
- * prohibits any funding from being used to legalize or reduce penalties for possessing, using, or distributing any Schedule 1 substance under the Controlled Substance Act or any tetrahydrocannabinol derivative (*e.g.*, marijuana);
- * provides \$5 million to create incentives to adopt children in the District's foster care system (\$3.5 million less than H.R. 2587);
- * provides \$33.3 million for a new appropriation account for attorney programs for indigent defendants, child abuse cases, and guardianship cases administered by District courts;
- * provides \$150 million for a budget reserve, as required by the FY 1999 D.C. Appropriations Act (*P.L. 105-277*), to prevent the District from running a budget deficit. The bill also requires the District to maintain a budget surplus of not less than four percent and allows any budget surplus in excess of four percent to be used for debt reduction and non-recurring expenses;
- * continues to prohibit the use of any federal or District-raised funding to provide abortions, except in the case of rape, incest, or danger to the mother's life;

- * retains current law to prohibit any federal or District funds to implement programs that extend the same rights designated for married couples to cohabiting unmarried couples—such as domestic partners;
- * requires the District to terminate leases on property that the D.C. government does not occupy. The bill also requires the mayor and city council to certify that other District owned/leased property is not available before the District can enter into a lease; and
- * ratifies the Tax Parity Act passed by the D.C. City Council. This local measure provides \$59 million in tax relief for D.C. residents.

Additional Information: For information on the conference report to H.R. 3064, see *Legislative Digest*, Vol. XXVIII, #31, Pt. III, October 27, 1999. For information on D.C. appropriations measures as they were debated in the House, see *Legislative Digest*, #29, Pt. III, October 13, 1999; #24, September 3, 1999; and #22, July 23, 1999.



H.R. 2389—County Schools Funding Revitalization Act

Floor Situation: The House will consider H.R. 2389 today after it finishes considering the D.C. appropriations bill. Yesterday, the Rules Committee granted an open rule that provides one hour of general debate, equally divided between the chairman and ranking minority member of the Agriculture Committee. The rule makes in order a committee amendment in the nature of a substitute as base text and accords priority in recognition to members who have their amendments pre-printed in the *Congressional Record*. The chairman of the Committee of the Whole may postpone votes and reduce the voting time on a postponed vote to five minutes, so long as it follows a regular 15-minute vote. Finally, the rule provides one motion to recommit, with or without instructions.

Summary: H.R. 2389 aims to restore stability and predictability to the annual payments made to states and counties containing National Forest System lands and public domain lands managed by the Bureau of Land Management (BLM). Specifically, the bill requires the Treasury Secretary to pay counties at a level equal to 100 percent of the highest three-year average of the payment that counties received between 1985 and enactment from national forest revenues and authorizes such payments for seven years. Payments must be made first from revenues generated from federal lands (*e.g.*, park entrance fees and timber sales) and second from funds appropriated to the Forest Service and BLM. The bill requires the Treasury Secretary to adjust the full payment amount annually to reflect changes in the consumer price index.

The measure requires counties to use 80 percent of these payments for public education, roads, and other currently authorized purposes and 20 percent of such funds for community-based projects (it allows counties with small safety net payments to elect whether to participate in these community-based projects). In addition, the bill (1) allows counties to pool their resources to finance projects; (2) establishes community advisory groups to approve project proposals; (3) requires the Agriculture and Interior Secretaries to ensure that proposed projects comply with all federal laws, regulations, policies, and resource management plans and are approved by local advisory committees; and (4) authorizes the Forest Service and

BLM to cooperate with states, local governments, and private and non-profit entities to carry out approved projects. The measure also requires that revenues generated by projects be deposited into a regional fund to be used for additional community-based projects.

The bill establishes the Forest Counties Payments Committee to recommend long-term methods to ensure that states and counties that contain federal lands receive adequate payments for public education and other public services.

CBO estimates that enactment will increase direct spending by \$173 million in FY 2000 and \$1.1 billion over FYs 2000-2004. The bill was introduced by Mr. Deal *et al.* and was reported by the Agriculture Committee by voice vote on September 23, 1999.

Views: The Republican leadership supports passage of H.R. 2389. An official Clinton Administration viewpoint was unavailable at press time.

Amendments: At press time, *Legislative Digest* was unaware of any amendments to H.R. 2389.

Additional Information: See *Legislative Digest*, Vol. XXVIII, #32, October 29, 1999.



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